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October 22, 2008

The Honorable M. Jodi Rell
Office of the Governor
State Capitol
210 Capitol Avenue
Hartford, CT 06106

Dear Governor Rell:

We write to express serious concerns about your plan to transfer Husky A and B enrollees to new managed care programs that contain substantially less access to health care.

We understand from published reports and from others in the legal community that the proposed transfer may very well violate the rights of Husky participants under federal law. Although neither your office nor the Department of Social Services has requested legal advice from the Office of the Attorney General regarding the legality of the proposed transfer under Medicaid law, we have significant legal concerns

We also have profound reservations about the wisdom of involuntarily placing these enrollees, which include significant numbers of our most vulnerable children, in substantially inferior plans.

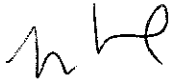
As I am sure you have been advised, federal law mandates that services must be made available to Medicaid enrollees "at least to the extent that such care and services are available to the general public." 42 U.S.C. section 1396a(a)(30)(A).

Under the present circumstances, we request that you refrain from issuing any notices to enrollees indicating their mandatory transfer out of their current plans. The planned transfer should not be implemented until enrollees can be assured of substantially similar access to the level of health care services they have under the state's Medicaid program.

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If we can be of any assistance in ensuring that your plan for this essential program meets the needs of our poorest citizens and the requirements of applicable law, please do not hesitate to call upon either of us.

Sincerely,

A handwritten signature in black ink, appearing to read 'J Milstein'.

Jeanne Milstein
Child Advocate

A handwritten signature in black ink, appearing to read 'R Blumenthal'.

Richard Blumenthal
Attorney General